

AN ORDINANCE AMENDING SECTION 1519.04 OF THE CODIFIED ORDINANCES OF THE VILLAGE OF RICHFIELD TO PROHIBIT THE DISCHARGE, IGNITION, OR EXPLOSION OF FIREWORKS AT ALL TIMES AND DATES, INCLUDING CERTAIN DAYS EACH YEAR PURSUANT TO STATE LAW, AND DECLARING AN EMERGENCY

WHEREAS, the Ohio General Assembly recently adopted Sub. House Bill 172; and

WHEREAS, Sub. House Bill 172 amended Ohio R.C. 3743.45 to allow any person authorized to possess 1.4 G fireworks in Ohio to discharge, ignite, or explode those fireworks on private property on ten (10) specific days of the year; and

WHEREAS, Sub. House Bill 172 permits municipal corporations to restrict and/or ban the discharge, ignition, or explosion of fireworks on the specific days authorized by Ohio R.C. 3743.45; and

WHEREAS, this Council desires to continue to prohibit the discharge, ignition, or explosion of fireworks in the Village to preserve the public health, safety, and welfare of the resident of the Village of Richfield.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Richfield, County of Summit, State of Ohio, that:

SECTION 1: Section 1519.04(b) of the Codified Ordinances of the Village of Richfield is hereby amended as follows:

“1519.04 POSSESSION, SALE OR DISCHARGE PROHIBITED; EXCEPTIONS.

(b) Except as provided in Section 1519.05 and except for licensed exhibitors of fireworks authorized to conduct a fireworks exhibition pursuant to Ohio R.C. 3743.50 through 3743.55 and Section 1519.02, no person shall discharge, ignite, or explode any fireworks in this Municipality. Pursuant to Ohio R.C. 3743.45(D), this prohibition applies to ban the discharge, ignition, or explosion of all fireworks purchased pursuant to Ohio R.C. 3743.45 on all dates and at all times, including any and all of the dates set forth in Ohio R.C. 3743.45(B).

(e) No person, other than a licensed manufacturer, licensed wholesaler, licensed exhibitor, or shipping permit holder, shall possess 1.3 G fireworks or 1.4 G fireworks.”

SECTION 2: Section 1519.04(b) of the Codified Ordinances of the Village of Richfield as it existed prior to the effective date of this Ordinance is hereby repealed.

SECTION 3: It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 4. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety, and welfare and for the further reason that it is immediately necessary to institute the continued prohibition on the use of fireworks in the Village prior to the effective of date of the new state law allowing the use of fireworks on certain days of the years; wherefore, provided this Ordinance receives the affirmative vote of two-thirds of the members of Council elected or appointed, it shall take effect immediately upon its passage and execution by the Mayor; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

PASSED: 6-7-22

Robbie Bashaw
President of Council

Michael Whelan
Mayor

Dated: 6/7/2022

ATTEST:
[Signature]
Clerk of Council